

Notice of Allowability

Application No.

09/992,253

Examiner

Tuan D. Nguyen

Applicant(s)

VAN HALTEREN ET AL.

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07/13/2006.
2. ☒ The allowed claim(s) is/are 2-8, 11-19, 31, 32, 34 35, 54, 58-61, 63-71 and ^{TPN}renumbered as 1-34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 08/16/2006
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance.
9. ☐ Other _____.


CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER (300)

Office Action

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Justin Swindells on 08/29/2006.

2. The application has been amended as follows:

In the claims:

Cancel claims 20-30.

Please replace claim 31 as following.

31. (Currently Amended) An acoustic receiver, comprising:
means for converting an input audio signal into an acoustic signal;
a housing having six sides that surround said converting means, one of said sides including an output port for broadcasting said acoustic signal;
and a jacket having a rectangular cross-section and sections for closely interfitting with four of said six sides, one of said four of said six sides being said second of said sides, wherein said sections of said jacket directly engage corresponding ones of said four of said six sides and wherein said jacket is welded to at least two of said sides.

Cancel claim 33.

Please replace claims 34 and 35 as following.

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34. (Previously Presented) The acoustic receiver of claim 31, wherein said jacket is a polymer.

35. (Previously Presented) The acoustic receiver of claim 31, further including a dampening material between said jacket and said housing.

Cancel claims 36-53.

Please replace claim 54 as following.

54. (Currently Amended) A transducer, comprising: means for converting between an acoustic signal and an audio signal; a housing surrounding said converting means, said housing having two ends and at least two sides; an electrical connector coupled to an end surface of one of said ends; and a jacket surrounding at least a portion of said housing including said one of said ends, at least two sections of said jacket being permanently affixed to said sides by spot welding.

Cancel claims 55-57.

Please replace claims 58-61 as following.

58. (Previously Presented) The transducer of claim 54, wherein said jacket has a thickness of between about 0.05 mm and 0.3 mm.

59. (Previously Presented) The transducer of claim 54, wherein said jacket is press-fit onto said housing.

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60. (Previously Presented) The transducer of claim 54, wherein said jacket contacts at least one of said ends of said housing directly or via said layer of acoustical dampening material.

61. (Previously Presented) The transducer of claim 54, wherein said jacket contacts said majority of said surface of at least said two mutually adjacent sides of said housing via said layer of acoustical dampening material, said acoustical dampening material being composed of a material including epoxy.

Cancel claim 62.

Please replace claims 63-65 as following.

63. (Previously Presented) The transducer of claim 54, wherein said least two sections are permanently affixed to said sides by adhesive.

64. (Previously Presented) The acoustic receiver of claim 2, wherein said jacket has a generally rectangular cross section.

65. (Previously Presented) The acoustic receiver of claim 16, wherein said acoustical dampening material is composed of a material including epoxy.

Please add new claims 66-71 as following.

66. (New) An acoustic receiver, comprising:
means for converting an input audio signal into an acoustic signal;
an output port for broadcasting said acoustic signal;

a housing having a plurality of sides that surround said converting means;

an electrical connector coupled to an end surface of a first of said sides; and

a jacket having at least three sections for directly engaging at least three of said sides including said first side, said three sections being generally flat and lying on respective ones of said sides, at least two mutually adjacent ones of said three sections contacting corresponding ones of said sides.

67. (New) The acoustic receiver of claim 66, wherein said jacket includes a layer of acoustical dampening material.

68. (New) The acoustic receiver of claim 66, wherein said jacket is press-fit onto said housing.

69. (New) The acoustic receiver of claim 66, wherein at least two of said at least three sections are permanently affixed to respective ones of said sides by adhesive.

70. (New) The acoustic receiver of claim 66, wherein at least two of said at least three sections are permanently affixed to respective ones of said sides by spot welding.

71. (New) The acoustic receiver of claim 66, wherein said jacket has a generally rectangular cross section.

(End of Examiner's Amendment)

Examiner's Statement of Reason for Allowance

3. Claims 2-8, 11-19, 31, 32, 34, 35, 54, 58-61, 63-71 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art of record teaches various acoustical receiver housing for a hearing aid thereon, for example U.S. patent number 5,204,917.

However, the prior art of record fails to show claim 2, an acoustic receiver, comprising: a jacket having at least three sections for directly engaging at least three of said sides, one of said sides being said second of said sides, said three sections being generally flat and lying on respective ones of said sides, at least two mutually adjacent ones of said three sections contacting corresponding ones of said sides and combined with all the limitation of claim 2; claim 31, a jacket having a rectangular cross-section and sections for closely interfitting with four of said six sides, one of said four of said six sides being said second of said sides, wherein said sections of said jacket directly engage corresponding ones of said four of said six sides and wherein said jacket is welded to at least two of said sides and combined with all the limitation of claim 31; claim 54, an electrical connector coupled to an end surface of one of said ends; and a jacket surrounding at least a portion of said housing including said one of

said ends, at least two sections of said jacket being permanently affixed to said sides by spot welding and combined with all the limitation of claim 54 and claim 66, a jacket having at least three sections for directly engaging at least three of said sides including said first side, said three sections being generally flat and lying on respective ones of said sides, at least two mutually adjacent ones of said three sections contacting corresponding ones of said sides and combined with all the limitation of claim 66.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan D. Nguyen whose telephone number is (571) 272-8163. The examiner can normally be reached on M-F 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499.


The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TDN

8/30/06



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